

Working Copy

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FILE ORIGINAL & ONE COPY  
TYPE OR PRINT IN BLACK INK  
(For information of applicant, see  
Section 17000 of the California  
Water Code.)

State of California  
State Water Resources Control Board  
**DIVISION OF WATER RIGHTS**  
P.O. Box 2000, Sacramento, CA 95812-2000  
Info: (916) 341-5300, FAX: (916) 341-5400, Web: <http://www.waterrights.ca.gov>

**AMENDED PETITION FOR ASSIGNMENT OF PORTION  
OF STATE-FILED APPLICATION 5648-7  
APPLICATION TO APPROPRIATE WATER**

APPLICATION No. 5648 X07  
(Leave Blank)

**1. APPLICANT**

Lake Alpine Water Company and the (209) 899-2460  
(Name of applicant) (Telephone - between 8 a.m. and 5 p.m.)  
County of Alpine, State of California; c/o Lake Alpine Water Company  
9601 State Route 4 Farmington CA 95230  
(Mailing address) (City or town) (State) (Zip code)

**2. SOURCE**

- a. The name of the source at the point of diversion is Bear Creek tributary to Bloods Creek  
(If unnamed, state that it is an unnamed stream, spring, etc.)  
tributary to North Fork of Stanislaus River
- b. In a normal year does the stream dry up at any point downstream from your project? YES ☒ NO ☐  
If yes, during what months is it usually dry? From August to September  
What alternate sources are available to your project should a portion of your requested direct diversion season  
be excluded because of a dry stream or nonavailability of water? Limited groundwater supply

**3. POINTS of DIVERSION and REDIVERSION**

- a. The point(s) of diversion will be in the County of Alpine  
and within Assessor's Parcel Number (APN #) 005-470-046-0
- b.

List all points giving coordinate distances from section corner or other tie as allowed by SWRCB regulations i.e. California Coordinate System	Point is within (40-acre subdivision)	Section	Township	Range	Base and Meridian
<u>North 16.5° East 2610 ft. from</u>	NW ¼ of SW ¼	<u>7</u>	<u>7N</u>	<u>1E</u>	<u>MD</u>
<u>SW corner of S7, T7N, R1E MDB&amp;M</u>	¼ of ¼			<u>8</u>	
	¼ of ¼				

- Lake Alpine Water Company
- c. Does applicant own the land at the point of diversion? YES ☒ NO ☐
- d. If applicant does not own the land at point of diversion, state name and address of owner and what steps have been taken to obtain right of access: \_\_\_\_\_

*"The energy challenge facing California is real. Every California needs to take immediate action to reduce energy consumption. For a list of simple ways you can reduce demand and cut your energy costs, see our Web-site at <http://www.swrcb.ca.gov>".*  
Additional copies of this form and water right information can be obtained at [www.waterrights.ca.gov](http://www.waterrights.ca.gov).

#### 4. PURPOSE of USE, AMOUNT and SEASON

- a. In the table below, state the purpose(s) for which water is to be appropriated, the quantities of water for each purpose, and the dates between which diversions will be made. Use gallons per day if rate is less than 0.025 cubic foot per second (approximately 16,000 gallons per day).

PURPOSE OF USE (Irrigation, Domestic, etc.)	DIRECT DIVERSION				STORAGE		
	QUANTITY		SEASON OF DIVERSION		AMOUNT	COLLECTION SEASON	
	RATE (Cubic feet per second or gallons per day)	AMOUNT (Acre-feet per year)	Beginning Date (Mo. & Day)	Ending Date (Mo. & Day)	Acre-feet per annum	Beginning Date (Mo. & Day)	Ending Date (Mo. & Day)
Municipal	.78	175	Oct 1	July 30	220	Oct 1	July 30
Recreation				31			31

- b. Total combined amount taken by direct diversion and storage during any one year will be 395 acre-feet.

#### 5. JUSTIFICATION of AMOUNT

- a. IRRIGATION: Maximum area to be irrigated in any one year is no crop irrigation acres.

CROP	ACRES	METHOD OF IRRIGATION (Sprinklers, flooding, etc.)	ACRE-Feet PER YEAR	NORMAL SEASON	
				Beginning Date	Ending Date

- b. DOMESTIC: Number of residences to be served is \_\_\_\_\_. Separately owned? YES ☐ NO ☐  
 Total number of people to be served is \_\_\_\_\_. Estimated daily use per person is \_\_\_\_\_ (Gallons per day)  
 Total area of domestic lawns and gardens is \_\_\_\_\_ square feet.  
 Incidental domestic uses are \_\_\_\_\_ (Dust control area, number and kind of domestic animals, etc.)

- c. STOCKWATERING: Kind of stock \_\_\_\_\_ Maximum number \_\_\_\_\_  
 Describe type of operation: \_\_\_\_\_ (Feed lot, dairy, range, etc.)

- d. RECREATIONAL: Type of recreation: Fishing ☒ Swimming ☒ Boating ☒ Other ☒

- e. MUNICIPAL: (Estimated projected use)

POPULATION		MAXIMUM MONTH		ANNUAL USE		
5-Year periods until use is completed		Average daily use (gal. per capita)	Rate of diversion (cfs)	Average daily use (gal. per capita)	Acre-foot (per capita)	Total acre feet
PERIOD	POP.					
Present	3364	100	.13	32	.036	120
2004	3618	100	.16	35	.039	140
2009	4888	100	.35	54	.061	300
2014	6156	100	.72	66	.074	455

- Month of maximum use during year is August. Month of minimum use during year is May.

- f. HEAT CONTROL: The total area to be heat protected is \_\_\_\_\_ net acres.  
 Type of crop protected is \_\_\_\_\_  
 Rate at which water is applied to use is \_\_\_\_\_ gpm per acre.  
 The heat protection season will begin about \_\_\_\_\_ (Date) and end about \_\_\_\_\_ (Date)
- g. FROST PROTECTION: The total area to be frost protected is \_\_\_\_\_ net acres.  
 Type of crop protected is \_\_\_\_\_  
 Rate at which water is applied to use is \_\_\_\_\_ gpm per acre.  
 The frost protection season will begin about \_\_\_\_\_ (Date) and end about \_\_\_\_\_ (Date)
- h. INDUSTRIAL: Type of industry is \_\_\_\_\_  
 Basis for determination of amount of water needed is \_\_\_\_\_
- i. MINING: The name of the claim is \_\_\_\_\_ Patented ☐ Unpatented ☐  
 The nature of the mine is \_\_\_\_\_ Mineral to be mined is \_\_\_\_\_  
 Type of milling or processing is \_\_\_\_\_  
 After use, the water will be discharged into \_\_\_\_\_ (Name of stream)  
 in \_\_\_\_\_ 1/4 of \_\_\_\_\_ 1/4 of Section \_\_\_\_\_, T \_\_\_\_\_, R \_\_\_\_\_, \_\_\_\_\_ B. & M.  
 (40-acre subdivision)
- j. POWER: The total fall to be utilized is \_\_\_\_\_ feet. The maximum amount of water to be used through the penstock is \_\_\_\_\_ cubic feet per second. The maximum theoretical horsepower capable of being generated by the works is \_\_\_\_\_. Electrical capacity is \_\_\_\_\_ kilowatts at \_\_\_\_\_ % efficiency.  
 (Cubic feet per second x fall ÷ 8.8) (Hp x 0.746 ÷ efficiency)  
 After use, the water will be discharged into \_\_\_\_\_ (Name of stream)  
 in \_\_\_\_\_ 1/4 of \_\_\_\_\_ 1/4 of Section \_\_\_\_\_, T \_\_\_\_\_, R \_\_\_\_\_, \_\_\_\_\_ B. & M. FERC No. \_\_\_\_\_  
 (40-acre subdivision)
- k. FISH AND WILDLIFE PRESERVATION AND/OR ENHANCEMENT: YES ☐ NO ☒ If yes, list specific and habitat type that will be preserved or enhanced in item 10 of Environmental Information form APP-ENV.
- l. OTHER: Describe use: \_\_\_\_\_ Basis for determination of amount of water needed is \_\_\_\_\_

## 6. PLACE OF USE

- a. Does applicant own the land where the water will be used? YES ☐ NO ☒ Is land in joint YES ☐ NO ☒ ownership?  
 (All joint owners should include their names as applicants and sign the application.)  
 If applicant does not own land where the water will be used, give name and address of owner, and state what arrangements have been made with the owner. Lake Alpine Water Co. supplies water to  
Bear Valley which will consist of an estimated 1900  
units in 2014.

b. USE IS WITHIN (40-ACRE SUBDIVISION)	SECTION	TOWNSHIP	RANGE	BASE & MERIDIAN	IF IRRIGATED	
					Number of acres	Presently cultivated (Y/N)
<del>1/4 of All of 1/4</del>	7	7 North	18 East	MDB&M		
<del>1/4 of All of 1/4</del>	18	"	"	"		
<del>1/4 of All of SE 1/4</del>	12	"	17 East	"		
All of E 1/4 w/in Alpine Co.	13	"	"	"		
<del>1/4 of 1/4</del>		SEE ATTACHED MAP				

(If area is unsurveyed, state the location as if lines of the public land survey were projected, or contact the Division of Water Rights. If space does not permit listing all 40-acre tracts, include on another sheet or state sections, townships and ranges, and show detail on map.)

## 7. DIVERSION WORKS

- a. Diversion will be by gravity by means of Earthfill Dam  
(Dam, pipe in unobstructed channel, pipe through dam, siphon, weir, gate, etc.)
- b. Diversion will be by pumping from Bear Lake Pump discharge rate \_\_\_\_\_ Horsepower \_\_\_\_\_  
(Depth of the well \_\_\_\_\_) (Sump, offset well, channel, reservoir, etc.) (cfs or gpd)
- c. Conduit from diversion point to first lateral or to offstream storage reservoir:

CONDUIT (Pipe or channel)	MATERIAL (Type of pipe or channel lining) (Indicate if pipe is buried or not)	CROSS SECTIONAL DIMENSION (Pipe diameter or ditch depth and top and bottom width)	LENGTH (Feet)	TOTAL LIFT OR FALL		CAPACITY (Estimate)
				Feet	+ or -	
Pipe	Concrete encased	12-inch diameter	400	53	—	45 cfs
	steel pipe					

- d. Storage reservoirs: (For underground storage, complete Supplement 1 to APP, available upon request.)

Name or number of reservoir, if any	DAM				RESERVOIR		
	Vertical height from downstream toe of slope to spillway level (ft.)	Construction material	Dam length (ft.)	Freeboard Dam height above spillway crest (ft.)	Approximate surface area when full (acres)	Approximate capacity (acre-feet)	Maximum water depth (ft.)
Bear Lake	70	Soil	1000	5	15	360	55
DSOD #519							
(Retain Dam)							

- e. Outlet pipe: (For storage reservoirs having a capacity of 10 acre-feet or more.)

e. Outlet pipe: (For storage reservoirs having a capacity of 10 acre-feet or more.)				
Diameter of outlet pipe (inches)	Length of Outlet pipe (feet)	FALL (Vertical distance between entrance and exit of outlet pipe in feet)	HEAD (Vertical distance from spillway to outlet pipe in reservoir in feet)	Estimated storage below outlet pipe entrance (dead storage)
12	400	3	53	5 a.f.

- f. If water will be stored and the reservoir is not at the point of diversion, the maximum rate of diversion to offstream storage will be \_\_\_\_\_ cfs. Diversion to offstream storage will be made by: ☐ Pumping ☐ Gravity

## 8. COMPLETION SCHEDULE

- a. Year work will start Dam constructed 1965 b. Year work will be completed Completed  
c. Year water will be used to the full extent intended 2014 d. If completed, year of first use 1975

## 9. GENERAL

- a. Name of the post office most used by those living near the proposed point of diversion is  
Bear Valley CA 95223

Does any part of the place of use comprise a subdivision on file with the Department of Real Estate? YES ☒ NO ☐

If yes, state name of the subdivision Bear Valley, Alpine County

If no, is subdivision of these lands contemplated? YES ☒ NO ☐

Is it planned to individually meter each service connection? YES ☒ NO ☐ If yes, when? metered

- b. List the names and addresses of diverters of water from the source of supply downstream from the proposed point of diversion: See attachment

- c. Is the source used for navigation, including use by pleasure boats, for a significant part of each year at the point of diversion, or does the source substantially contribute to a waterway which is used for navigation, including use by pleasure boats? YES ☐ NO ☒ If yes, explain \_\_\_\_\_

# 10. EXISTING WATER RIGHT

Do you claim an existing right for the use of all or part of the water sought by this application? YES ☐ NO ☒  
If yes, complete table below:

Nature of Right (riparian, appropriative, groundwater)	Year of First Use	Purpose of use made in recent years including amount, if known	Season of Use	Source	Location of Point of Diversion

# 11. AUTHORIZED AGENT (Optional)

With respect to ☒ all matters concerning this water right application ☐ those matters designated as follows:

Daniel F. Gallery

(Name of agent)

(916) 444-2880

(Telephone number of agent between 8 a.m. and 5 p.m.)

926 J Street, Suite 505

(Mailing address)

Sacramento

(City or town)

CA

(State)

95814

(Zip code)

is authorized to act on my behalf as my agent.

# 12. SIGNATURE OF APPLICANT

I (we) declare under penalty of perjury that the above is true and correct to the best of my (our) knowledge and belief.

Dated October 23 2003 at Farmington, California

Ms. ☒ Mr.  
Miss. Mrs.

C. Bruce Davis

(Signature of applicant)

I (we) declare under penalty of perjury that the above is true and correct to the best of my (our) knowledge and belief.

Dated October 21 2003 at Markleeville, California

Ms. Mr.  
Miss. Mrs.

Herman Zellmer

(Signature of applicant)

Additional information needed for preparation of this application may be found in the Instruction Booklet entitled "HOW TO FILE AN APPLICATION TO APPROPRIATE WATER IN CALIFORNIA". If there is insufficient space for answers in this form, attach extra sheets. Please cross-reference all remarks to the numbered item of the application to which they may refer. Send original application and one copy to the STATE WATER RESOURCES CONTROL BOARD, DIVISION OF WATER RIGHTS, P.O. Box 2000, Sacramento, CA 95812-2000, with \$100 minimum filing fee.

## NOTE:

If this application is approved for a permit, a minimum permit fee of \$100 will be required before the permit is issued.

**ATTACHMENT TO APPLICATION - PARAGRAPH 9.b.**

**LIST OF NAMES AND ADDRESSES OF DIVERTERS OF WATER  
DOWNSTREAM FROM PROPOSED DIVERSION OF LAKE  
ALPINE WATER COMPANY AND COUNTY OF ALPINE**

Calaveras County Water District, P. O. Box 846, San Andreas, CA 95249

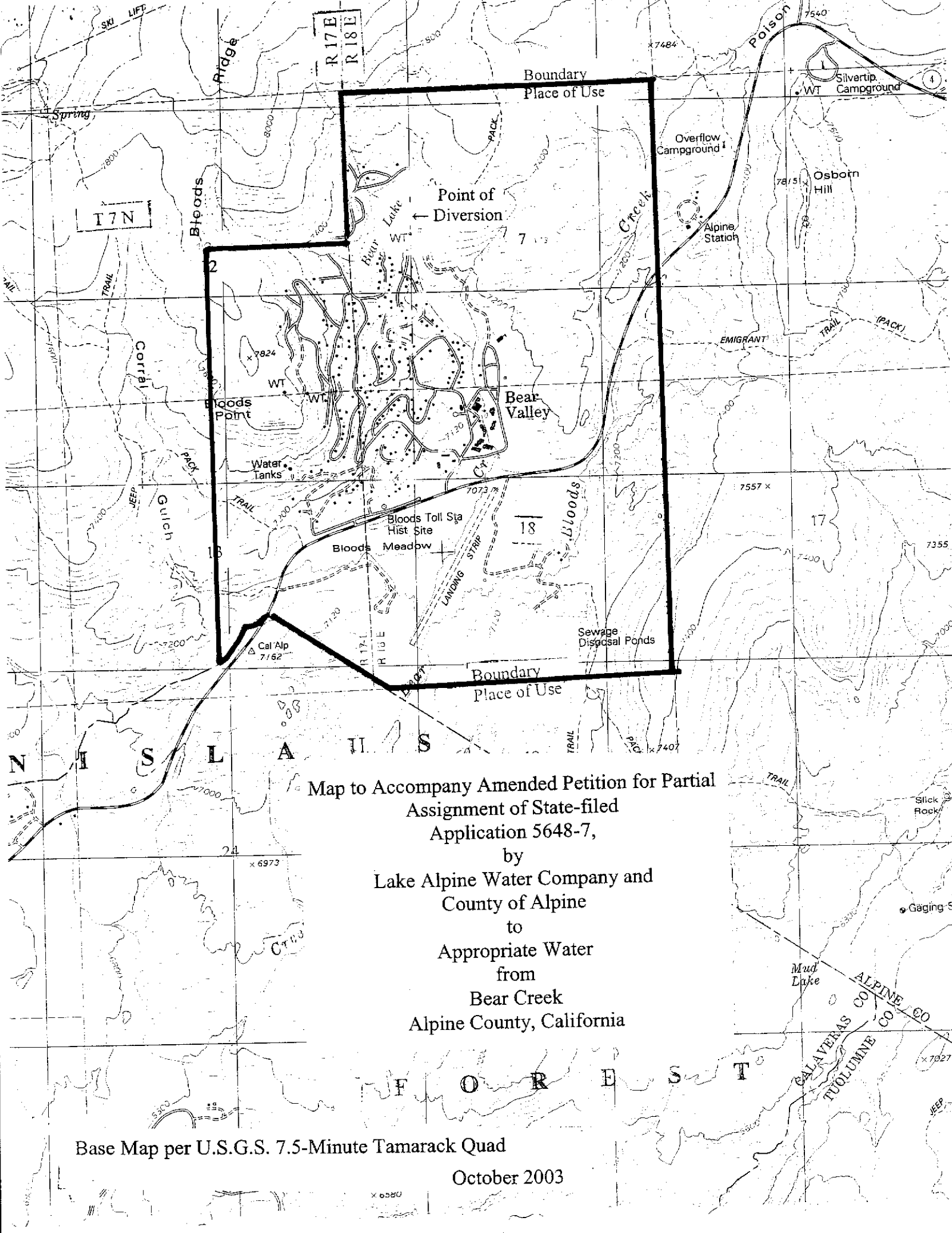
U.S. Bureau of Reclamation, Mid-Pacific Regional Office, 2800 Cottage Way,  
Sacramento, CA 95825-1898: Att: Robert Stackhouse, Regional Resources  
Manager

Oakdale Irrigation District, 1205 East "F" Street, Oakdale, CA 95361

California Department of Water Resources, c/o Dan Flory, Chief, Projects Water  
Contracts Branch, 1416 Ninth Street, Sacramento, California 95814

Delta Water Users Association, c/o Al Warren Hoslett, Esq., 504 Bank of Stockton  
Building, 311 East Main Street, Stockton, CA 95202

Stockton East Water District, c/o Jeanne M. Zolezzi, Esq., 2291 West March  
Lane, Suite B 100, Stockton, CA 95207



Map to Accompany Amended Petition for Partial  
Assignment of State-filed  
Application 5648-7,  
by  
Lake Alpine Water Company and  
County of Alpine  
to  
Appropriate Water  
from  
Bear Creek  
Alpine County, California

Base Map per U.S.G.S. 7.5-Minute Tamarack Quad

October 2003

State of California  
State Water Resources Control Board  
**DIVISION OF WATER RIGHTS**  
**P.O. Box 2000, Sacramento, CA 95812-2000**  
Info: (916) 341-5300, FAX: (916) 341-5400, Web: <http://www.waterrights.ca.gov>

AMENDED PETITION FOR ASSIGNMENT OF  
PORTION OF STATE-FILED APPLICATION 5648-7  
**APPLICATION TO APPROPRIATE WATER BY PERMIT**  
**ENVIRONMENTAL INFORMATION**

(THIS IS NOT A CEQA DOCUMENT)

APPLICATION NO. 5648-7

The following information will aid in the environmental review of your application as required by the California Environmental Quality Act (CEQA). IN ORDER FOR YOUR APPLICATION TO BE ACCEPTED AS COMPLETED, ANSWERS TO THE QUESTIONS LISTED BELOW MUST BE COMPLETED TO THE BEST OF YOUR ABILITY. Failure to answer all questions may result in your application being returned to you, causing delays in processing. If you need more space, attach additional sheets. Additional information may be required from you to amplify further or clarify the information requested in this form.

PROJECT DESCRIPTION

1. Provide a description of your project, including but not limited to, type of construction activity, structures existing or to be built, area to be graded or excavated and project operation, including how the water will be used.

This project does not involve any new construction work for diversion or storage of water. The construction of Bear Valley Dam and Reservoir (Bear Lake) was completed in 1965 to a capacity of 360 acre feet. SWRCB License No. 11007 was issued on Application 21485 on May 5, 1980, authorizing the storage of 240 a.f. per annum, with withdrawals limited to 140 a.f. per annum, the amount which had then been put to beneficial use. This Application is to secure water rights to an additional 395 acre feet, the full amount of to be put to use in future development of Bear Valley in Alpine County, which is expected to be in 2014. All water under this Application will be used in the North Fork of the Stanislaus River drainage basin and within Alpine County. All wastewater after use returns to the North Fork Stanislaus River watershed in the immediate vicinity after treatment.



## GOVERNMENTAL REQUIREMENTS

Before a final decision can be made on your water right application, we must consider the information contained in an environmental document prepared in compliance with the requirements of CEQA. If an environmental document has been prepared, a determination must be made as to who is responsible for the preparation of the environmental document for your project. The following questions are designed to aid us in that determination.

2. Contact your county planning or public works department for the following information:

- a. Person contacted Mark Demaio Date of contact September 3, 2003  
Department of Public Works Telephone (530) 694-2140
- b. Assessor's Parcel No. See Boundary of Place of Use attached
- c. County Zoning Designation Planned Development
- d. Are any county permits required for your project? No  
If yes, check appropriate space below:  
Grading Permit, Use Permit, Watercourse  
Obstruction Permit, Change of Zoning, General Plan  
Change, Other (explain):  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- e. Have you obtained any of the required permits described above? \_\_\_\_\_  
If yes, provide a complete copy of each permit obtained.

3. Are any additional state or federal permits required for your project? No (i.e., from Federal Energy Regulatory Commission, U.S. Forest Service, Bureau of Land Management, Soil Conservation Service, Department of Water Resources (Division of Safety of Dams), Reclamation Board, Coastal Commission, State Lands Commission, etc.) For each agency from which a permit is required provide the following information:

Permit type \_\_\_\_\_  
Person (s) contacted \_\_\_\_\_ Agency \_\_\_\_\_  
Date of contact \_\_\_\_\_ Telephone ( ) \_\_\_\_\_

4. Has any public agency prepared an environmental document for any aspect of your project?  
See County of Alpine DEIR (June 29, 1978) and Final EIR  
(Dec. 28, 1978) for Bear Valley Master Plan submitted herewith.  
If so, please submit a copy of the latest environmental document (s) prepared, including a copy of the notice of determination adopted by the public agency. If not, explain below whether you expect that a public agency other than the State Water Resources Control Board will be preparing

an environmental document for your application or whether the applicant, if it is a California public agency, will be preparing the environmental document for your project:

Note: When completed, please submit a copy of the final environmental document (including notice of determination) or notice of exemption to the State Water Resources Control Board. Processing of your application cannot proceed until such documents are submitted.

5. Will your project, during construction or operation, generate waste or wastewater containing such things as sewage, industrial chemicals, metals, or agricultural chemicals, or cause erosion, turbidity or sedimentation? Yes If so, explain: Providing additional municipal water supply will generate additional sewage for the Bear Valley Water District's sewage treatment facilities. Contact David Ritchie, President, Bear Valley Water District, Bear Valley, CA 95223, at (209) 753-2112, (209) 728-3959, or (209) 753-6153.
- If yes or you are unsure of your answer, contact your local Regional Water Quality Control Board for the following information (See attachment for address and telephone number):

Will a waste discharge permit be required for your project? No

Person contacted \_\_\_\_\_ Date of contact \_\_\_\_\_

What method of treatment and disposal will be used? Secondary treatment and land disposal via Bear Valley Water District

6. Have any archeological reports been prepared on this project, or will you be preparing an archeological report to satisfy another public agency? No

Do you know of any archeological or historic sites located within the general project area?

Yes If so, explain: A former Indian campground site is identified as a sensitive site in the 1978 County Master Plan. No development is scheduled to take place in that area.

## ENVIRONMENTAL SETTING

7. Attach **THREE COMPLETE SETS** of color photographs, clearly dated and labeled, showing the vegetation currently existing at the following locations:
- Along the stream channel immediately downstream from the proposed point(s) of diversion
  - Along the stream channel immediately upstream from the proposed point(s) of diversion
  - At the place(s) where the water is to be used

Note: It is very important that you submit no less than three complete sets of photographs as required above. If less than three sets are submitted, processing of your application will be delayed until you furnish the remaining sets!

8. From the list given below, mark or circle the general plant community types which best describe those which occur within your project area (Note: See footnote denoted by \* under Question 11 below):

### Tree Dominated Communities

- ☒ Subalpine Conifer
- ☒ Red Fir
- ☒ Lodgepole Pine
- Mixed Conifer
- Sierran Mixed Conifer
- ☒ White Fir
- Klamath Mixed Conifer
- Douglas-Fir
- ☒ Jeffrey Pine
- Ponderosa Pine
- Eastside Pine
- Redwood
- Pinyon-Juniper
- ☒ Juniper
- ☒ Aspen
- Closed-Cone Pine-Cypress
- Montane Hardwood-Conifer
- Montane Hardwood
- Valley Foothill Hardwood
- Blue Oak Woodland
- Valley Oak Woodland
- Coastal Oak Woodland
- Valley Foothill Hardwood-Conifer
- Blue Oak-Digger Pine
- Eucalyptus
- ☒ Montane Riparian
- Valley Foothill Riparian
- Desert Riparian
- Palm Oasis
- Joshua Tree

### Shrub Dominated Communities

- Alpine Dwarf-Shrub
- Low Sage
- ☒ Bitterbrush
- Sagebrush
- Montane Chaparral
- ☒ Mixed Chaparral
- Chamise-Redshank Chaparral
- Coastal Scrub
- Desert Succulent Shrub
- Desert Wash
- Desert Scrub
- Alkali Desert Scrub

### Herbaceous Dominated Communities

- ☒ Annual Grassland
- ☒ Perennial Grassland
- ☒ Wet Meadow
- Fresh Emergent Wetland
- Saline Emergent Wetland
- Pasture

### Aquatic Communities

- ☒ Riverine
- ☒ Lacustrine
- Estuarine
- Marine

### Developed Communities

- Cropland
- Orchard-Vineyard
- ☒ Urban

Literature source: Mayer, K.E., and W.F. Laudenslayer, Jr., (eds). 1988. A Guide to Wildlife Habitats of California. California Department of Forestry and Fire Protection, Sacramento. 166 pp. (Note: You may view a copy of this document at our public counter at the address given at the top of this form or you may purchase a copy by calling the California Department of Fish and Game, Wildlife Habitat Relationships (WHR) Program at (916) 653-7203).

9. Provide below an estimate of the type, number, and size (trunk/stem diameter at chest height) of trees and large shrubs that are planned to be removed or destroyed due to implementation of the proposed changes. Consider all aspects of your application, including changes in diversion structures, water distribution and use facilities, and changes in the place of use due to additional water development.

No trees to be removed. No construction work in this project.

#### FISH AND WILDLIFE CONCERNS

10. Identify the typical species of fish which occur in the source(s) from which you propose to divert water and discuss whether or not any of these fish species or their habitat has been or would be affected by your proposed changes. (Note: See footnote denoted by \* under Question 11 below):

The point of diversion, Bear Lake, is located at the headwaters of Bear Creek, a tributary to Bloods Creek. The stream is intermittent for a distance of about 1 mile downstream of the point of diversion with flows only during the snowmelt period, generally ending during July. Some rainbow and brook trout can be found in the stream during the snowmelt runoff, particularly south of Highway 4. Diversion and storage in Bear Lake does not significantly affect the duration of the snowmelt runoff.

11. Identify the typical species of riparian and terrestrial wildlife in the project area and discuss whether or not any of these species and/or their habitat has been or would be affected by your project through construction of water diversion and distribution works and/or changes in the place of water use. (Note: See footnote denoted by \* below):

The area immediately adjacent to the point of diversion is a mountain recreational subdivision and a small commercial area. The area is above 7000 feet elevation and does not support many species of Amphibians, reptiles, birds and mammals. Most obvious species are Belding squirrels, chipmunks and blacktailed deer mammals, Stellar's Jay and Clark's nutcracker birds. No construction is planned and diversion of water does not change the habitat significantly. Attached is a copy of the wildlife setting.

\*Note: The purposes of Question 10 and 11 are to provide a preliminary assessment of the presence of typical plant and animal species in the area and whether these species might be affected by your project. Detailed site surveys to quantify populations of specific species or determine the presence of rare or endangered species may be required at a later date. It is very important that you answer these questions accurately. If you are unable to obtain appropriate answers from your local California Department of Fish and Game biologists (See attachment for address and telephone number) or you do not have adequate information or expertise to complete your answers, you should hire a fishery consultant and/or a wildlife consultant to review your project and prepare suitable answers for you. For information on available qualified fishery or wildlife consultants near you, consult your local telephone directory yellow pages under Environmental and Ecological Services, or call the California Environmental Protection Agency, Registered Environmental Assessor (REA) Program, at (916) 324-6881 or the University of California, Cooperative Extension Service (See your local telephone directory white pages).

12. Does your proposed project involve any construction or grading-related activity which has significantly altered or would significantly alter the bed or bank of any stream or lake? No

If so, explain: \_\_\_\_\_

### CERTIFICATION

I hereby certify that the statements I have furnished above and in the attached exhibits are complete to the best of my ability, and that the facts, statements, and information presented are true and correct to the best of my knowledge.

Date October 24, 2003

Signature William M. Virgin

## WILDLIFE

### Setting

Wildlife in the Bear Valley Area can be categorized according to habitat type which corresponds to vegetative community.

The coniferous forest habitat supports the following birds and mammals:

Pygmy Owl  
Spotted Owl  
Great Grey Owl  
Woodpeckers  
Flycatchers  
Steller's Jay  
Mountain Chickadee  
Kinglets  
Warblers

Badgers  
Snowshoe Rabbit  
Belding Ground Squirrel

Chipmunks  
Grey Squirrel  
Red Squirrel  
Porcupine  
Marten  
Wolverine  
Coyote

Black-tailed Deer  
Deer  
Black Bear  
Mountain Lion  
Bobcat

The meadow habitat supports:

Coyote  
Black-tailed Deer  
Black Bear (forage)  
Yellow-Bellied Marmot  
Long-tailed Meadow Mouse  
White-footed Mouse  
Deer Mouse  
Mountain Pocket Gopher  
Western Garter Snake  
Western Rattlesnake

Many birds (summer visitants)  
Pacific Tree Frogs  
Lepidoptera spp.  
Hymenoptera spp.  
Snowshoe Rabbit  
Badgers

The barren, rocky area habitat supports:

Rock Wren  
Bushy-tailed Wood Rat  
Cottontail  
Western Fence Lizard  
Sagebrush Lizard

North Alligator Lizard  
Western Rattlesnake  
Mountain Gopher  
Pika  
Yellow-bellied Marmot

and provides dens for:

Coyote  
Fox  
Raccoon  
Marten

The riparian habitat supports:

Flycatcher  
Gold Finches  
Song Sparrow  
Shrews

~~Cottontail~~  
Mice  
Raccoon  
Frogs and other amphibians

Black bear and weasels